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ISSUANCES

of the

Meat and Poultry Inspection Program

February 1976



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**UNITED STATES DEPARTMENT OF AGRICULTURE
Animal and Plant Health Inspection Service
Meat and Poultry Inspection Program
Washington, D.C. 20250**

MPI PUBLICATIONS

Issuances of the Meat and Poultry Inspection Program. This publication contains selected CFR amendments, MPI bulletins, and MPI directives; changes to the Meat and Poultry Inspection Manual; and changes to the Meat and Poultry Inspection Regulations. It is published monthly by the Issuance Coordination Staff, Technical Services, and is available, upon subscription, from the U.S. Government Printing Office.

Subscription for 1 year (12 issues) is \$9.00 in the United States and possessions, and \$11.25 in foreign countries; cost of each single copy is \$0.75.

Meat and Poultry Inspection Manual. This publication contains procedural guidelines and instructions useful in enforcing laws and regulations related to Federal meat and poultry inspection. Copy of the publication and changes since its printing: \$16.50 in the United States and possessions, and \$20.75 in foreign countries.

Meat and Poultry Inspection Regulations. This publication contains regulations for slaughter and processing of livestock, poultry, as well as for certain voluntary services and humane slaughter. Copy of the publication and changes since its printing: \$22.00 in the United States and possessions, and \$27.50 in foreign countries.

Directory of Meat and Poultry Inspection Program Establishments and Officials. It is published semi-annually and is available, upon subscription, from the U.S. Government Printing Office.

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February 17, 1976



UNITED STATES DEPARTMENT OF AGRICULTURE
Animal and Plant Health Inspection Service
Meat and Poultry Inspection Program
Washington, D.C. 20250



MEAT AND POULTRY INSPECTION MANUAL

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February 1976

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Pen-and-Ink Changes

Page 132a, remove and destroy.

Page 133, section 18.20(b), right column, lines 32 and 33, cross off "provided such procedure is authorized by FO."

Page 211, MP Form 403, under submittal, cross off "upon completion slaughter day" and add "weekly."



UNITED STATES DEPARTMENT OF AGRICULTURE
Animal and Plant Health Inspection Service
Meat and Poultry Inspection Program
Washington, D. C. 20250



MEAT AND POULTRY INSPECTION REGULATIONS

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(3) Whole milk, products with milk or eggs. Whole milk, butter, margarine, cheese, sodium caseinate lactose, other dairy product derivatives and manufactured items such as premixes (for batters, gravies, and breadings) or noodles and macaroni that may contain milk or egg products shall be handled as in (1) and/or (2) above, or be accompanied by a letter of guaranty.

(d) Examination and Sampling

The inspector will examine incoming shipments of nonmeat and nonpoultry items and sample such items if he suspects insect, microbiological, or chemical contamination, or when requested by RD.

When visual examination or sample findings reveal unacceptable conditions, those items shall be immediately rejected from use. If such items were accompanied by a letter of guaranty or identified as USDA inspected, the appropriate authorities shall also be notified of the conditions.

(e) Miscellaneous Items

(1) **Anticaking agents.** Approved salt, cures, or seasonings containing anticaking agents up to 2 percent, singly or in combination, may be used in meat and poultry products. Such agents are tricalcium phosphate, tetrasodium pyrophosphate, calcium carbonate, magnesium carbonate, calcium stearate, silica gel, calcium alumino-silicate, calcium silicate, magnesium silicate, sodium alumino-silicate, sorbitol, glycerol (glycerin), or propylene glycol.

Salt with less than 13 ppm of yellow prussiate of soda (sodium ferrocyanide decahydrate) is also acceptable.

Container labels must show the presence of anticaking agents.

When salt, seasoning, or curing mixtures containing anticaking agents are used in product, such agents need not be shown on product label.

The above anticaking agents shall not be used as such in meat food products.

(2) Vegetables.

(i) **Storage.** Raw vegetables should be stored in suitable separate rooms. Suitable facilities for preliminary preparation of vegetables for use in product should be provided in a location separate from processing areas.

(ii) **Handling.** Handle vegetables without spreading dust or other contaminants.

Thoroughly wash vegetables--celery, potatoes, etc.--before cutting.

Raw vegetables may contain metal scraps, nails, etc. These contaminants must be removed. Encourage plant management to use magnets on vegetable lines to detect them.

(iii) **Lye solutions.** They may be used for removing vegetable's outer surface or peel, provided lye is completely removed before further processing.

(3) **Mustard.** When mustard is used in product with a water limitation, it is restricted to 1 percent of finished product because of its high protein content.

(4) **Spice mixtures.** They shall provide not more than 0.35 percent of protein by laboratory analysis.

(5) **Preservatives.** Preservatives--sodium benzoate, benzoic acid, or sulfites--are permitted in products only when incidental to other ingredients such as candied fruit and dehydrated vegetables. These incidental ingredients need not be declared on the label.

(6) **Salt; pickle.** Salt or salt solutions (pickle) contacting product must be clean and free from extraneous materials, including rock or slate

particles. Recrystallized, vacuum-pan granulated salt, or salt with approved anticaking agents--tricalcium phosphate, calcium, or magnesium carbonate--is acceptable.

Salt solutions for curing, defrosting, etc., shall be clear. Rock salt used for such solutions may contain only insoluble mineral matter--slate or rock particles.

Reuse of pickle. Pickle, including cover pickle, may be reused if clean, clear, and wholesome. Sanitary collecting equipment and efficient filtration should be available. All pickle lines should be of stainless steel or approved plastic. Those carrying salvaged pickle must be demountable for cleaning.

Facilities and equipment for storing and/or handling salt or salt solutions shall be kept clean and shall be so constructed to prevent contamination.

18.21 CONTROL

The inspector must monitor use of all materials which are approved for "specific use only." When a substance appears improper for use or altered from approved material, he should submit samples to the laboratory.

(a) Restricted Ingredients

Curing mixtures with sodium or potassium nitrite, or sodium or potassium nitrate must be clearly marked and kept under control of a responsible plant employee.

Establishments must avoid improper use of restricted ingredients--nitrites, nitrates, cereals, etc.--(see regulations).

Unless otherwise approved by MPI, one of the following procedures must be followed:

1. Each restricted ingredient is properly identified and individually weighed into separate containers in single batch formula amounts.

2. A mixture is prepared containing both restricted and nonrestricted ingredients (excluding NFDM, cereal,

soy products). "Single-batch" formula amounts of the mixture are weighed. Each container must bear (a) product name; (b) each ingredient listed in predominant order; (c) percent of restricted ingredients; (d) net weight of mixture and total weight of batch; (e) a statement including that "the plant certifies that a sample of the lot has been chemically analyzed, found acceptable and within label's limitation, and that "X" pounds of the mixture in "X" pounds of raw product will produce a finished product complying with regulations."

Source ingredients for any mixture shall be available for sampling before mixing. Finished mixture shall be available for verification sampling before use.

When verification samples indicate ingredients' noncompliance, or when management neglects to follow above procedure, the inspector requests return to procedure in item 1.

- (1) Calcium caseinate. Not approved for use in meat food products.

- (2) Sodium caseinate. The importance of adulteration with sodium caseinate in sausage and meat loaves is due not only to the use of an unacceptable ingredient, but also to its high protein content which facilitates adulteration of product with water. Inspectors should use specific control measures to prevent its use in sausage or meat loaves. Basic control features should include:

1. A continuous inventory of sodium caseinate amount on hand and amount used daily.

2. A daily balancing of amount of product containing sodium caseinate and amount of sodium caseinate present.

3. Occasional requests for sodium caseinate analysis in samples submitted to the laboratory.

MPI supervisors should assist inspectors in developing adequate controls and assure that such controls are continuously effective.

* (3) Soy products. The inspector
* must assure that they are properly
* used. Approval of soy flour, soy
protein concentrate, and isolated soy
protein as ingredients of sausage is
based upon their binding properties.
These substances are also permitted as
ingredients of other meat food prod-
ucts--chili, stew, loaves (other than
meat loaves), soups, etc.

Soy products with appearance of
diced, flaked, or ground meat, even
though labeled as "soy flour," "iso-
lated soy protein," and "soy protein
concentrate" should not be used in
meat food product unless specifically
* approved by STS-LP. This Staff will
* approve labels for emulsified cooked
* sausages containing textured or struc-
* tured soy flour, isolated soy protein,
* and soy protein concentrate, provided
* the textured or structured products
* are finely divided as a part of the
* emulsifying process. When so used,
* the labeling declaration of the soy
* products should not show the words
* "textured" or "structured."

In all cases, soy products must be
identified by their common or usual
name in the ingredients statement
and/or by byproduct name, as required
by regulations or label approval. Soy
bean derivatives for which the category
or protein content is questionable
should be submitted to the laboratory.
Soy protein concentrate, soy flour,
and isolated soy protein are practi-
cally indistinguishable by visual
examination. They may also closely
resemble sodium caseinate, nonfat dry
milk, and certain cereals. Therefore,
if a plant stocks more than one type
of soy product, additional controls
are required. These include develop-
ing, with the plant, a procedure for
confining soy products for positive
identification and maintaining daily
records showing amounts of soy bean
derivative used and type of product
prepared.

(b) Formula Control

Approved label formulas must be

controlled at plant level. Since all
products cannot be verified by labora-
tory analysis, the inspector should
check the weight, calculate the
percentage of ingredients, and assure
that product is properly formulated.

The inspector should also check
plant records of ingredients and as-
sure that amounts used correspond to
product produced.

(c) Confidential Formula

Ingredients with confidential for-
mulas (spice mixtures, seasonings,
etc.) may be used in products, pro-
vided they are specifically identified
in the label approval. Confidential
formulas are reviewed for accept-
ability, and label's ingredient state-
ment verified for accuracy. The
inspector's responsibility limits use
of such materials to identified brands
in specified amounts. Substitutions
are not permitted without approval.

Exception! Certain materials--
mayonnaise, ketchup, bakery products,
cheese, margarine, etc.--have an offi-
cial standard of identity (or composi-
tion) registered with FDA. When used
in products, a confidential formula
for each is unnecessary for label
approval. Different brand name prod-
ucts may be interchanged without STS
clearance. However, substituted
product must carry the same product
name--mayonnaise, ketchup, etc.

(d) Material Rejection

Nonfood ingredients rejected for
use may be removed from the plant or
destroyed at the plant. If removed,
FDA and local health authorities
should be notified.

SAUSAGE (MEAT)**Subpart 18-E**

(Regs: M-318, 319)

18.23 FRESH PORK SAUSAGE**Sampling, Compliance**

When surveillance is limited, submit occasional samples to laboratory. Take corrective action when sample results show more than:

1. Five percent added water if added during formulation.
2. Two percent water if water is not used in preparation.
3. Three percent water in three consecutive samples when water is used in formulation.
4. Zero added water in three consecutive samples when preparation calls for none.

If product is suspected to have excess added water, submit two samples from different parts of the lot. Base retention on average of 4 percent or more (water declared) or 1 percent or more (no water).

Note: Above allowances are results of analytical variations due to present methods of calculating water in sausage.

18.24 COOKED SAUSAGE**(a) Casings**

(1) Vinegar, lactic or citric acid. Their solutions may be used for acidification purposes. To improve peeling, 5 percent citric acid or 35-40 grain vinegar may be used for spraying frankfurters before or after smoking.

Solution may be recirculated during the day's operation if it is effectively filtered and is clear. The equipment must be of approved plastic or stainless steel; spray heads, filters, and pumps must be demountable for cleaning.

(2) **Unapproved Substances.** Animal casings (318.6(b)(2)) preflushed and packed in solutions containing unapproved substances--antibiotics, anti-oxidants, preservatives, nitrite, nitrate, etc.--are not permitted. When noncompliance is suspected, the inspector should submit samples of casings and solutions to the laboratory.

(3) **Approved dyes.** Artificial casings impregnated with soluble approved dyes may be used for small sausage varieties (318.7(c)(3)). The certification required for coal tar dyes (318.7(c)(4)) should be furnished with each lot of such dye-impregnated casings.

(4) **Color penetration.** Examine artificially colored product and, if within 72 hours after stuffing shows color penetration, retain for appropriate disposition. Do not ask laboratory to examine product for color penetration.

(5) **Rework.** This term applies to a fully or partially processed product (not including uncooked trimmings) rerouted for reasons other than unwholesomeness or adulteration (i.e., emulsion residue, product breakage, slicing operations, smoked meats, returns, etc.) and intended for inclusion in cooked sausages, loaves and similar products. Rework may be used provided it does not adulterate the product, violate its standard of composition, upset the order of predominance of ingredients, or perceptively affect the usual or normal characteristics of the product, and is subject to the following restrictions:

a. Cooked sausage, meat loaves, may be used in similar products without limitation.

b. Pieces of cooked and/or smoked meat may be used without limitation, if properly identified in the ingredient statement.

with any applicable requirement for the destruction of trichina as provided in § 318.10 of this subchapter.

(f) The Administrator may extend requirements of titles I and IV of the Act to any establishment in any State or organized Territory at which products are prepared for distribution solely within such jurisdiction, if he determines in accordance with the provisions of paragraph 301(c)(1) of the Act that it is producing adulterated products which would clearly endanger the public health.

(g) The Administrator in specific cases may modify, by relieving, the inspection and related requirements of the regulations in this subchapter when he determines that application of the modified requirements will be adequate to effectuate the purposes of the Act.

(Sec. 21, Federal Meat Inspection Act, as amended by the Wholesome Meat Act (21 U.S.C. Supp., sec. 601 et seq.), and Public Law 91-342; Talmadge-Aiken Act of Sept. 28, 1962 (7 U.S.C. 450); Act of July 24, 1919 (7 U.S.C. 394); subsection 21(b), Federal Water Pollution Control Act, as amended by Public Law 91-224 and by other laws)

PART 304-APPLICATION FOR INSPECTION; GRANT OR REFUSAL OF INSPECTION

AUTHORITY: The provisions of this Part 304 issued under sec. 21, Federal Meat Inspection Act, as amended by the Wholesome Meat Act (21 U.S.C. Supp., sec. 601 et seq.), and Public Law 91-342; Talmadge-Aiken Act of Sept. 28, 1962 (7 U.S.C. 450); Act of July 24, 1919 (7 U.S.C. 394); subsection 21(b), Federal Water Pollution Control Act, as amended by Public Law 91-224 and by other laws

§ 304.1 Application for inspection; tenants; subsidiaries.

(a) Before the inspection is granted, the operator of each establishment of the kind required by § 302.1 of this subchapter to have inspection shall make application therefor to the Administrator as provided in this part.

(b) Every application under this section shall be made on a form furnished by the Program, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C., and shall include all information called for by that form, including the name, address, and type of legal entity of any tenant, and the name and principal office address of any subsidiary corporation that will prepare product or conduct any other operation at the establishment for which inspection is requested. The applicant for inspection will be held responsible for compliance by all such tenants or subsidiaries with the Act and the regulations in this subchapter at such establishment if inspection is granted. Such tenants and subsidiaries will also be held responsible for compliance with the Act and regulations in this subchapter. Preparation of product and other operations at the establishment for which inspection is granted may be conducted only by the applicant and any of its tenants and subsidiary corporations named in the application.

(c) In cases of change of ownership, location, tenants or subsidiaries, a new application shall be made.

§ 304.2 Drawings, information to be furnished; grant or refusal of inspection.

- * (a) Each applicant for inspection shall submit to the Program: *
- * (1) Two sets of complete drawings containing: the floor plans of the *

* establishment for which inspection is requested, showing the locations of *
* principal pieces of equipment, floor drains, principal drainage lines, hand- *
* washing basins, and hose connections for cleanup purposes; a plot plan showing *
* limits of the establishment's premises, locations in outline of buildings on *
* the premises, cardinal points of the compass, and roadways and railways serving *
* the establishment; and a room schedule showing the finish of walls, floors, and *
* ceilings of all rooms in the establishment. *

* (2) Four sets of specifications which shall include statements describing *
* the water supply, plumbing, drainage, refrigeration, equipment, lighting, and *
* operations of the establishment related to sanitation and proper performance *
* of inspection. Applicants for inspection may request information from the *
* Administrator concerning the requirements before submitting drawings and other *
* documents required by this paragraph. *

(b) Notice in writing shall be given to each applicant granted inspection, specifying the establishment to which the grant applies.

(c) The Administrator is authorized to grant inspection upon his determination that the applicant and the establishment are eligible therefor and to refuse to grant inspection at any establishment if he determines that it does not meet the requirements of this part or the regulations in Parts 305, 307, and 308 of this subchapter or that the applicant has not received approval of labeling and containers to be used at the establishment as required by the regulations in Parts 316 and 317 of this subchapter. When inspection is refused for any reason, the applicant shall be informed of the action and the reasons therefor and afforded an opportunity to present his views.

(d) Inspection may also be refused in accordance with section 401 of the Act and the applicable rules of practice.

(e) (1) Any applicant for inspection at an establishment where the operations thereof may result in any discharge into the navigable waters in the United States is required by subsection 21(b) of the Federal Water Pollution Control Act, as amended (84 Stat. 91), to provide the Administrator with a certification as prescribed in said subsection that there is reasonable assurance that such activity will be conducted in a manner which will not violate the applicable water quality standards. No grant of inspection can be issued after April 3, 1970 (the date of enactment of the Water Quality Improvement Act), unless such certification has been obtained, or is waived because of failure or refusal of the State, interstate agency or the Secretary of the Interior to act on a request for certification within a reasonable period (which shall not exceed 1 year after receipt of such request).

(2) However, certification is not initially required in connection with an application for inspection granted after April 3, 1970, for facilities existing or under construction on April 3, 1970, although certification for such facilities is required to be obtained within the 3-year period immediately following April 3, 1970. Failure to obtain such certification and meet the other requirements of subsection 21(b) prior to April 3, 1973, will result in the termination of inspection at such facilities on that date.

PART 308-SANITATION

AUTHORITY: The provisions of this Part 308 issued under sec. 21, Federal Meat Inspection Act, as amended by the Wholesome Meat Act (21 U.S.C. Supp., sec. 601 et seq.), and Public Law 91-342; Talmadge-Aiken Act of Sept. 28, 1962 (7 U.S.C. 450); Act of July 24, 1919 (7 U.S.C. 394); subsection 21(b), Federal Water Pollution Control Act, as amended by Public Law 91-224 and by other laws.

§ 308.1 Examination and specifications for equipment and sanitation prior to granting inspection.

Prior to the inauguration of inspection, an examination of the establishment and premises shall be made by a Program employee and the requirements for sanitation and the necessary facilities for inspection shall be specified by him in accordance with the regulations in this part and Part 307 of this subchapter.

§ 308.2 Drawings and specifications to be furnished in advance of construction.

* Drawings and specifications as prescribed in § 304.2 of this subchapter for *
* remodeling any official establishment, or part thereof, and for any new *
* structures to be used in an official establishment, or part thereof, shall be *
* submitted to the Administrator and approval obtained for the plans in advance *
* of construction. *

§ 308.3 Establishments; sanitary condition; requirements.

(a) Official establishments shall be maintained in sanitary condition, and to this end the requirements of this section shall be complied with.

(b) There shall be abundant light, of good quality and well distributed, and sufficient ventilation for all rooms and compartments to insure sanitary condition.

(c) There shall be an efficient drainage and plumbing system for the establishment and premises, and all drains and gutters shall be properly installed with traps and vents approved by the circuit supervisor.

(d) (1) The water supply shall be ample, clean, and potable, with adequate facilities for its distribution in the plant and its protection against contamination and pollution. Every establishment shall make known and, whenever required by the circuit supervisor, shall afford opportunity for inspection of the source of its water supply, the storage facilities, and the distribution system. Equipment using potable water shall be so installed as to prevent back-siphonage into the potable water system. Nonpotable water is permitted only in those parts of official establishments where no edible product is handled or prepared, and then only for limited purposes such as on ammonia condensers not connected with the potable water supply, in vapor lines serving inedible product rendering tanks, in connection with equipment used for hashing and washing inedible products preparatory to tanking, and in sewer lines for moving heavy solids in the sewage. Nonpotable water is not permitted for washing floors, areas, or equipment involved in trucking

materials to and from edible product departments nor is it permitted in hog scalding vats, dehairing machines, or vapor lines serving edible product rendering equipment, or for cleanup of shackling pens, bleeding areas, or runways within the slaughtering department. In all cases, nonpotable waterlines shall be clearly identified and shall not be cross-connected with the potable water supply unless this is necessary for fire protection and such connection is of a type with an adequate break to assure against accidental contamination, and is approved by local authorities and by the circuit supervisor.

(2) The circuit supervisor may permit the reuse of water in vapor lines leading from deodorizers used in the preparation of lard and similar edible product and in equipment used for the chilling of canned product after retorting, provided the reuse is for the identical original purpose and the following precautions are taken to protect the water that is reused:

(i) All pipelines, reservoirs, tanks, cooling towers, and like equipment employed in handling the reused water are so constructed and installed as to facilitate their cleaning and inspection.

(ii) Complete drainage and disposal of the reused water, effective cleaning of the equipment, and renewal with fresh potable water is accomplished at such intervals as may be necessary to assure an acceptable supply of water for the purpose intended.

(iii) Effective chlorination (not less than approximately 1 part per million of residual chlorine at any point within the cooling system) of the reused water utilized for cooling canned product is maintained but with the understanding that chlorination alone is not to be relied upon entirely or to be accepted in lieu of the requirements listed in subdivisions (i) and (ii) of this subparagraph.

(3) Approval for the reuse of water other than as specified in subparagraph (2) of this paragraph shall be obtained from the Administrator in specific cases.

(4) An ample supply of water at not less than 180° F. shall be furnished and used for the cleaning of inspection equipment and other equipment, floors, and walls which are subject to contamination by the dressing or handling of diseased carcasses, their viscera, and other parts. Whenever necessary to determine compliance with this requirement, conveniently located thermometers shall be installed by the operator of the official establishment to show the temperature of the water at the point of use.

(5) Hot water for cleaning rooms and equipment other than those mentioned in subparagraph (4) of this paragraph shall be delivered under pressure to sufficient convenient outlets and shall be of such temperature as to accomplish a thorough cleanup.

(e) The floors, walls, ceilings, partitions, posts, doors, and other parts of all structures shall be of such materials, construction, and finish as will make them susceptible of being readily and thoroughly cleaned. The floors shall be kept watertight. The rooms and compartments used for edible product shall be separate and distinct from those used for inedible product.

(f) Rails should be located and passageway space provided so that exposed product does not come in contact with posts, walls, and other fixed parts of the building, or with barrels, boxes, and other containers trafficked through holding and operating areas. Exposed product shall not be placed or stored beneath carcasses in coolers or holding areas.

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- 381.204 Marking of poultry products offered for entry.
- 381.205 Labeling of immediate containers of imported poultry products.

(e) Products of the types specified in this section except those specified in paragraphs (c) and (d) of this section will be deemed to be represented as poultry products if the kind name of the poultry (chicken, turkey, etc.) is used in the product name of the product without appropriate qualification. For example, a consumer-packaged noodle soup product containing less than 2 percent chicken meat on a ready-to-serve basis may not be labeled "Chicken Noodle Soup" but, when appropriate, could be labeled as "Chicken Flavored Noodle Soup." Products exempted under this section are subject to the requirements of the Federal Food, Drug, and Cosmetic Act.

Subpart D-Application for Inspection; Grant or Refusal of Inspection

§ 381.16 How application shall be made.

The operator of each establishment of the kind required by § 381.6 to have inspection shall make application to the Administrator for inspection service. In cases of change of name, ownership, or location, a new application shall be made.

§ 381.17 Filing of application.

Every application for inspection at any establishment shall be made by the operator on a form furnished by the Meat and Poultry Inspection Program, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250, and shall include all information called for by that form, including the name of any subsidiary corporation that will prepare any poultry product or conduct any other operation at the establishment for which inspection is requested. The applicant for inspection will be held responsible for compliance by all its subsidiaries with the requirements of the regulations at such establishments if inspection is granted. Processing of poultry products and other operations at the establishment for which inspection is granted may be conducted only by the applicant, except that such a subsidiary of the grantee, may conduct such operations at such establishment.

§ 381.18 Authority of applicant.

Any person applying for inspection service may be required at the discretion of the Administrator to demonstrate that the operator of the establishment authorized him to do so.

§ 381.19 Application for inspection; required facilities.

An application for inspection service under this part shall be made according to the following procedure;

(a) Prints of drawings and specifications to be furnished. (1) Applicants for inspection service may obtain information or assistance from the Inspection

Service with respect to the requirements before submitting prints of drawings and specifications.

* (2) Two prints of drawings showing the features specified in this section *
* shall be submitted to the Administrator. Photostats of drawings are not *
* acceptable. The drawings and prints shall be legible, made with sharp, clear *
* lines, and properly drawn to scale, and shall consist of complete floor plans *
* and a plot plan. Submissions consisting of more than one sheet shall be bound *
* together at the left margin in sets. *

(3) The plot plan shall show such features as the limits of the establishment premises, location in outline of buildings on the premises, one point of the compass, and the location of roadways, railroads, and water and sewer lines or sewage facilities serving the establishment.

(4) The floor plan shall show all space to be included in the official establishment. If rooms or compartments shown on the drawings are not to be included as part of the official establishment, this shall be clearly indicated thereon.

(5) The sheets of paper on which prints of drawings are made shall not exceed a size of 34" x 44". The drawings, other than of the plot plan, shall be made to a scale of one-eighth inch per foot. The plot plan may be drawn to a scale of not less than one thirty-second inch per foot. The drawings shall indicate the scale used and shall also indicate the floor shown (e.g. basement, first or second).

(b) Features required to be shown on floor plan. The following features shall be shown on the floor plan:

(1) The principal pieces of equipment drawn to scale in the proper locations;

(2) The name of the operator and address of the establishment by street and street number, or by other means properly identifying the location of the establishment. (This information shall be shown on each drawing the same as shown on the application for service (Form MP-401));

(3) One point of the compass;

(4) The doors and openings for passageways, designating those which are self-closing or permanently closed;

(5) All floor drain openings and gutter drains, and for all buildings constructed after September 1, 1959, the approximate location of all underfloor and underground piping;

(6) Lavatories in toilet and processing rooms (lavatories which are other than hand operated shall be so designated on the blueprints);

(7) All steam and hot and cold water outlets for cleanup purposes;

(8) Ice making and storage facilities;

(9) The point at which live poultry is hung on the conveyor line, the point where dressed poultry is removed, and the point of transfer to the eviscerating line;

(10) The routes of the edible and inedible products;

(11) The location of fresh air inlets, exhaust fans and hoods.

* (c) Specifications. Four sets of specifications covering the following *
shall accompany the drawings:

(1) Height of ceilings;

(2) Type of ceilings--open or closed;

§ 381.186 Cooperation of States and other jurisdictions in Federal programs.

Under the "Talmadge-Aiken Act" of September 28, 1962 (7 U.S.C. 450), the Administrator is authorized under stated conditions to utilize employees and facilities of any State in carrying out Federal functions under the Poultry Products Inspection Act. A cooperative program for this purpose is called a Federal-State program. Under paragraph (a) of section 5 of the Poultry Products Inspection Act, the Administrator is also authorized to conduct examinations, investigations, and inspections under the Act through any officer or employee of any State or territory or the District of Columbia commissioned by him for such purpose.

§ 381.187 [Reserved]

Subpart-Transportation; Exportation; or Sale of Poultry or Poultry Products

* § 381.189 Provisions inapplicable to specimens for laboratory examination, *
* etc., or to naturally inedible articles. *

* The provisions of this Subpart do not apply: *

* (a) To dead, dying, disabled or diseased poultry and specimens of undena- *
* tured, uninspected or adulterated carcasses, parts, or products of poultry *
* sent to or by the Department of Agriculture or divisions thereof in Washington, *
* D.C., or elsewhere, for laboratory examination, exhibition purposes, or other *
* official use; *

* (b) To dead, dying, disabled or diseased poultry and specimens of unde- *
* natured, uninspected or adulterated carcasses, parts, or products of poultry *
* thereof for educational, research, or other nonfood purposes shipped under *
* permit issued by the inspector in charge upon his determination that collection *
* and movement thereof will not interfere with inspection or sanitary conditions *
* at the establishment, and the specimens are for nonfood purposes. The person *
* desiring such specimens shall make a written application to the inspector in *
* charge for such permit on Form MP-112 and shall obtain permission from the *
* operator of the official establishment to obtain the specimens. Permits shall *
* be issued for a period not longer than one year. The permit may be revoked by *
* the inspector in charge if he determines after notice and opportunity to pre- *
* sent views is afforded to the permittee that any such specimens were not used *
* as stated in the application, or if the collection or handling of the speci- *
* mens interferes with inspection or the maintenance of sanitary conditions in *
* the establishment. The specimens referred to in this paragraph shall be *
* collected and handled only at such time and place and in such manner as not *
* to interfere with the inspection or to cause any objectionable condition and *
* shall be identified as inedible when they leave the establishment. *

* (c) To parts of poultry carcasses that are naturally inedible by humans, *
* such as entrails and feathers in their natural state. *

§ 381.190 Transactions in slaughtered poultry and other poultry products restricted.

(a) No person shall sell, transport, offer for sale or transportation, or receive for transportation, in commerce or from any official establishment, any slaughtered poultry from which the blood, feathers, feet, head, or viscera have not been removed in accordance with the regulations.

(b) No person shall sell, transport, offer for sale or transportation, or receive for transportation, in commerce, any slaughtered poultry or other poultry product which is capable of use as human food and is adulterated or fails to bear an official inspection legend or is otherwise misbranded at the time of such sale, transportation, offer or receipt, except as otherwise provided in Subpart C or T. However, poultry heads and feet which are collected and handled at an official establishment in an acceptable manner may be shipped from the official establishment and in commerce directly for export for further processing as human food, if they have been examined and found to be suitable for such purpose, by an inspector and are labeled as prescribed in this paragraph. The containers of all such products shall bear a label showing: (1) The name of the products; (2) the name and address of the packer or distributor, and, when the name of the distributor is shown, it shall be qualified by such terms as "packed for," "distributed by," or "distributors"; and (3) the official establishment number of the establishment where packed. Such products shall not bear the official inspection legend.

§ 381.191 Distribution of inspected products to small lot buyers.

For the purpose of facilitating the distribution in commerce of inspected poultry products to small lot buyers (such as small restaurants), distributors or jobbers may remove inspected and passed non-consumer-packaged poultry carcasses or consumer-packaged poultry products from shipping containers or immediate containers, other than consumer packages, and place them into other containers which do not bear an official inspection mark: Provided, That the individual non-consumer-packaged carcasses bear the official inspection legend and the official establishment number of the establishment that processed the articles; and the consumer-packaged articles are fully labeled in accordance with Subpart N: And provided further, That the other container is marked with the name and address of the distributor or jobber and bears the statement "The poultry product contained herein was inspected by the U.S.D.A." in the case of poultry products processed in the United States, or the statement "The poultry products contained herein have been approved for importation under P.P.I.A." in the case of imported poultry products.

§ 381.192 Penalties inapplicable to carriers.

No carrier shall be subject to the penalties of the Act, other than the penalties for violation of section 11, by reason of his receipt, carriage, holding, or delivery, in the usual course of business, as a carrier, of poultry or poultry products, owned by another person, unless the carrier has knowledge, or is in possession of facts which would cause a reasonable person to believe that such poultry or poultry products were not inspected or marked in accordance with the provisions of the Act or where otherwise not eligible for transportation under the Act, or unless the carrier refuses to furnish on request of a representative of the Secretary, the name and address of the person from whom he received such poultry or poultry products, and copies of all documents, if any there be, pertaining to the delivery of the poultry or poultry products to such carrier.

§ 381.193 Poultry carcasses, etc. not intended for human food.

Poultry carcasses, and parts and products thereof, that are not intended for use as human food may, after they have been denatured as prescribed in § 381.95, be shipped from any official establishment and in commerce even though they do not comply with all the provisions of the regulations, provided they are marked "Not fit for human food." These requirements do not apply to parts of poultry carcasses that are naturally inedible by humans, such as entrails. All such articles, if intended for animal food, are subject to the Federal Food, Drug, and Cosmetic Act.

* § 381.194 Transportation and other transactions concerning dead, dying, *
* disabled, or diseased poultry, and parts of carcasses of poultry *
* that died otherwise than by slaughter. *

* No person engaged in the business of buying, selling, or transporting in *
* commerce, or importing any dead, dying, disabled, or diseased poultry or parts *
* of the carcasses of any poultry that died otherwise than by slaughter shall: *

* (a) Sell, transport, offer for sale or transportation or receive for *
* transportation, in commerce, any dead, dying, disabled, or diseased poultry, *
* or parts of the carcasses of any poultry that died otherwise than by slaughter, *
* unless such poultry and parts are consigned and delivered, without avoidable *
* delay, to establishments of animal food manufacturers, renderers, or collection *
* stations that are registered as required by § 381.179, or to official estab- *
* lishments that operate under Federal inspection, or to establishments that *
* operate under a State or Territorial inspection system approved by the *
* Secretary as one that imposes requirements at least equal to the Federal *
* requirements for purposes of section 5(c) of the Act. *

* (b) Buy in commerce or import any dead, dying, disabled, or diseased *
* poultry or parts of the carcasses of any poultry that died otherwise than by *
* slaughter, unless he is an animal food manufacturer or renderer and is regis- *
* tered as required by § 381.179, or is the operator of an establishment *
* inspected as required by paragraph (a) of this section and such poultry or *
* parts of carcasses are to be delivered to establishments eligible to receive *
* them under paragraph (a) of this section. *

* (c) Unload en route to any establishment eligible to receive them under *
* paragraph (a) of this section, any dead, dying, disabled, or diseased poultry *
* or parts of the carcasses of any poultry that died otherwise than by slaughter, *
* which are transported in commerce or imported by any such person: Provided, *
* That any such dead, dying, disabled, or diseased poultry, or parts of carcasses *
* may be unloaded from a means of conveyance en route where necessary in case of *
* a wreck or otherwise extraordinary emergency, and may be reloaded into another *
* means of conveyance; but in all such cases, the carrier shall immediately *
* report the facts by telegraph or telephone to the Director, Compliance Staff, *
* Meat and Poultry Inspection Program, Animal and Plant Health Inspection *
* Service, U.S. Department of Agriculture, Washington, D.C. 20250. *

Subpart T-Imported Poultry Products

§ 381.195 Requirements for importation into United States.

(a) No slaughtered poultry, or parts or products thereof, shall be imported into the United States unless they are healthful, wholesome, fit for

human food, not adulterated, and contain no dye, chemical, preservative, or ingredient which renders them unhealthful, unwholesome, adulterated, or unfit for human food and they also comply with the regulations prescribed in this subpart to assure that they comply with the standards provided for in the Act: Provided, That the provisions of this subpart apply to such articles only if they are capable of use as human food.

(b) Except as provided in § 381.207, slaughtered poultry and other poultry products may be imported only if they were processed solely in countries listed in § 381.196(b). Slaughtered poultry may be imported only if it qualifies as ready-to-cook poultry.

§ 381.196 Eligibility of foreign countries for importation of poultry products into the United States.

(a) (1) Whenever it shall be determined by the Administrator that the system of poultry inspection maintained by any foreign country, with respect to establishments preparing products in such country for export to the United States, insures compliance of such establishments and their poultry products, with requirements at least equal to all the provisions of the Act and the regulations in this part which are applied to official establishments in the United States, and their poultry products, and that reliance can be placed upon certificates required under this subpart from authorities of such foreign country, notice of that fact will be given by including the name of such foreign country in paragraph (b) of this section. Thereafter, poultry products processed in such establishments which are certified and approved in accordance with subparagraph (3) of this paragraph shall be eligible, so far as the regulations in this part are concerned, for importation into the United States from such foreign country after applicable requirements of this part have been met.

(2) The determination of acceptability of a foreign poultry inspection system for purposes of this section shall be based on an evaluation of the foreign program in accordance with the following requirements and procedures:

(i) The system shall have a program organized and administered by the national government of the foreign country. The system as implemented must provide standards at least equal to those of the Federal system of poultry inspection in the United States with respect to:

(a) Organizational structure and staffing, so as to insure uniform enforcement of the requisite laws and regulations in all establishments throughout the system at which poultry products are processed for export to the United States;

(b) Ultimate control and supervision by the national government over the official activities of all employees or licensees of the system;

(c) The assignment of competent, qualified inspectors;

(d) Authority and responsibility of national inspection officials to enforce the requisite laws and regulations governing poultry inspection and to certify or refuse to certify poultry products intended for export;

(e) Adequate administrative and technical support;

(f) Other requirements of adequate inspection service as required by the regulations.

(ii) The legal authority for the system and the regulations thereunder shall impose requirements at least equal to those governing the system of poultry inspection organized and maintained in the United States with respect to:

(a) Ante-mortem inspection of poultry for slaughter, which shall be performed by veterinarians or by other employees or licensees of the system under the direct supervision of veterinarians;

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misbranded, except that the official inspection legend shall not be used. Such products may not enter official establishments. After said 90-day period, only federally inspected and passed products may be distributed within the designated State, except as provided in § 381.10.

§ 381.224 Designation of States under section 11 of the Act; application of sections of the Act and the regulations.

Each of the following States has been designated, effective on the date shown below, under section 11 of the Act, as a State in which the provisions of the sections of the Act and regulations specified below shall apply to operators engaged, other than in or for commerce, in the kinds of business indicated below:

Paragraphs of act and regulations	Classes of operators	State	Effective date
Act, 11(b); §§ 381.175-381.178	Persons engaged (not in or for commerce) in (1) the business of slaughtering any poultry or processing, freezing, packaging, or labeling any poultry carcasses, or parts or products thereof, for use as human food or animal food; (2) the business of buying or selling (as a poultry products broker, wholesaler, or otherwise), transporting or storing any poultry carcasses, or parts or products thereof; or (3) business as a renderer or in the business of buying, selling, or transporting any dead, dying, disabled, or diseased poultry or parts of carcasses of any poultry that died otherwise than by slaughter.	Colorado	7-1-75
		Connecticut	10-1-75
		Kentucky	4-18-73
		Massachusetts	1-12-76
		Minnesota	1-31-75
		Missouri	1-31-75
		Montana	1-31-75
		Nebraska	1-31-75
		Nevada	1-31-75
		New Jersey	7-1-75
		New York	7-16-75
		North Dakota	7-23-73
		Oregon	1-31-75
		Pennsylvania	5-2-74
		Tennessee	10-1-75
		Washington	1-31-75
Act, 11(c); § 381.179	Persons engaged (not in or for commerce) in business as a poultry products	Colorado	7-1-75
		Connecticut	10-1-75
		Kentucky	4-18-73
		Massachusetts	1-12-76

broker; renderer;	Minnesota	1-31-75
animal food manu-	Missouri	1-31-75
facturer; whole-	Montana	1-31-75
saler or public	Nebraska	1-31-75
warehouseman of	Nevada	1-31-75
poultry carcasses,	New Jersey	7-1-75
or parts or prod-	New York	7-16-75
ucts thereof; or	North Dakota	7-23-73
buying, selling,	Oregon	1-31-75
or transporting	Pennsylvania	5-2-74
dead, dying,	Tennessee	10-1-75
disabled, or	Washington	1-31-75
diseased poul-		
try or parts of		
carcasses of any		
poultry that died		
otherwise than by		
slaughter.		

* Act, 11(d); § 381.194

*

§ 381.225 Criteria and procedure for designating establishments with operations which would clearly endanger the public health; disposition of poultry products therein.

(a) An establishment in any State not listed in § 381.221 that is preparing poultry products solely for distribution within such State shall be designated as one producing adulterated products which would clearly endanger the public health, if:

(1) Any poultry product processed at the establishment is adulterated in any of the following respects:

(i) It bears or contains a pesticide chemical; food additive, or color additive, that is "unsafe" within the meaning of sections 408, 409, or 706 of the Federal Food, Drug, and Cosmetic Act or was intentionally subjected to radiation in a manner not permitted under section 409 of said Act; or if it bears or contains any other added poisonous or added deleterious substance which may render it injurious to health or make it unfit for human food; or

(ii) It consists in whole or in part of any filthy, putrid or decomposed substance or is for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food (for example, it was prepared from a poultry carcass or other ingredients exhibiting spoilage characteristics); or it is, or was prepared from, a poultry carcass which would be required to be condemned under Subpart K at official establishments; or

(iii) It has been prepared, packed or held under insanitary conditions whereby it may have become contaminated with filth or may have been rendered injurious to health (for example, if insects or vermin are not effectively controlled at the establishment, or insanitary water is used in preparing poultry products for human food); or

(iv) It is, in whole or in part, the product of poultry that died otherwise than by slaughter; or

(v) Its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health; and